

carrier of that vessel has been in water contaminated or infested with injurious non-indigenous aquatic nuisance species, except as provided in paragraphs (m)(1) and (m)(2).

(1) Vessels, trailers or other carriers of vessels entering NPS waters from contaminated waters will be cleaned using the technique specific to the aquatic nuisance species.

(2) The superintendent may allow for limited or restricted access to park waters under a permit system in accordance with the criteria and procedures of § 3.3 of this chapter.

(i) Violating a term or condition of a permit issued in accordance with § 3.3 is prohibited.

(ii) Violating a term or condition of a permit issued pursuant to § 3.3 of this chapter may also result in the suspension or revocation of the permit by the superintendent.

(3) For this section, an injurious non-indigenous aquatic nuisance species means a species that threatens the diversity or abundance of native species or the stability of an aquatic ecosystem, or that threatens the commercial, agricultural, aquacultural or recreational development dependent on such an ecosystem, and includes only those organisms that pose a substantial risk to native species and the development and infrastructure dependent upon such aquatic resources. Species include those listed by Federal, State or local agencies as injurious non-indigenous aquatic nuisance species.

(4) For this section, contaminated or infested waters means any waters supporting viable or reproducing populations of injurious non-indigenous aquatic nuisance species as identified by any Federal, State, or local agency.

(5) For paragraph (m) of this section, vessel means every type or description of craft, including seaplanes on the water, used or capable of being used as a means of transportation on water, including a buoyant device permitting or capable of free flotation.

(n) Transporting in any way, an injurious non-indigenous aquatic nuisance species on park waters or roads.

(o) Placing or dumping into park waters, or attempting to place or dump, bait containers, live wells or other water-holding devices that are or were filled with waters holding or contaminated by injurious non-indigenous aquatic nuisance species.

3. Section 3.23 is amended by adding paragraph (c) to read as follows:

**§ 3.23 SCUBA and snorkeling.**

\* \* \* \* \*

(c) Using a wet suit or associated water use and diving equipment used in waters infested with injurious non-indigenous aquatic nuisance species prior to decontamination by a process appropriate to the nuisance species.

Dated: March 15, 1996.

George T. Frampton, Jr.,  
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-15973 Filed 6-21-96; 8:45 am]

BILLING CODE 4310-70-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[NM-23-1-7101b; FRL-5500-8]

**Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Supplement to the New Mexico State Implementation Plan To Control Air Pollution in Areas of Bernalillo County Designated Nonattainment**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve a revision to the New Mexico State Implementation Plan addressing nonattainment areas in Bernalillo County. The purpose of proposing to approve this revision is to update the narrative portion of the "April 14, 1993, Supplement to the New Mexico State Implementation Plan to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment" (see the Federal Register published on December 21, 1993) to reflect EPA's approval for lifting the construction ban in Bernalillo County. In the final rules section of this Federal Register, EPA is approving the State's State Implementation Plan revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn, and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in

commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be postmarked by July 24, 1996.

**ADDRESSES:** Comments should be mailed to Jole C. Luehrs, Chief, Air Permits Section (6PD-R), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

U.S. EPA, Region 6, Air Permits Section (6PD-R), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733.

Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW, Washington, DC 20460.  
City of Albuquerque, Environmental Health Department, One Civic Plaza, Albuquerque, New Mexico 87103.

Anyone wishing to review this petition at the Region 6 EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

**FOR FURTHER INFORMATION CONTACT:** Mr. Samuel R. Mitz, Air Permits Section (6PD-R), EPA Region 6, telephone (214) 665-8370.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final Rule which is located in the Rules Section of this Federal Register.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Carbon Monoxide, Nonattainment areas.

Dated: April 11, 1996.

Lynda F. Carroll,

Acting Regional Administrator.

[FR Doc. 96-16024 Filed 6-21-96; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 52**

[CA 19-2-725-b; FRL-5511-5]

**Approval and Promulgation of Implementation Plans; California—Mammoth Lakes Nonattainment Area; PM<sub>10</sub>**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Proposed Rulemaking.

**SUMMARY:** EPA is proposing to approve the State Implementation Plan (SIP) submitted by the State of California for the purpose of bringing about attainment in the Mammoth Lakes Planning Area (MLPA) of the national ambient air quality standards (NAAQS) for particulate matter with an